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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DEDY WIDJAJA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 05-70442

Agency No. A95-389-700

MEMORANDUM^{*}On Petition for Review of an Order of the
Board of Immigration AppealsAugust 26, 2008^{**}

Before: SCHROEDER, KLEINFELD, and IKUTA, Circuit Judges.

Dedy Widjaja, a native and citizen of Indonesia, petitions *pro se* for review of the Board of Immigration Appeals' order affirming an immigration judge's decision denying his application for asylum and withholding of removal. We have

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Nagoulko v. INS*, 333 F.3d 1012, 1015 (9th Cir. 2003), and we deny the petition for review.

Substantial evidence supports the agency's finding that the harm Widjaja suffered did not rise to the level of past persecution. *See id.* at 1016-17.

Furthermore, substantial evidence supports the agency's finding that he failed to demonstrate a well-founded fear of future persecution because, although he is a member of a disfavored group, the agency found that he had not met his burden of demonstrating the requisite individualized risk of persecution under *Sael v. Ashcroft*, 386 F.3d 922, 927-29 (9th Cir. 2004).

Because Widjaja failed to demonstrate eligibility for asylum, it follows that he did not satisfy the more stringent standard for withholding of removal. *See Lata v. INS*, 204 F.3d 1241, 1244 (9th Cir. 2000).

PETITION FOR REVIEW DENIED.